

REMARKS/ARGUMENTS

Claims 1, 4-7 and 9-12 are pending in this application, with claim 1 being the only independent claim. Reconsideration of the above-identified application, as herein amended and in view of the following remarks, is respectfully requested.

Claim Amendments

Claim 1 is amended to recite “said end being threadably received through a through-hole defined in a mounting bearing forming a threaded joint connecting the piston-cylinder unit to a support” and “said flow connection comprising a transverse bore leading to the interior space of said bellows and a longitudinal bore proceeding from said transverse bore and opening outside of said bearing on said distal side of said bearing, said flow connection being permanently open and communicating freely only with an interior space defined in said bellows and with the atmosphere”. Support for these amendments is found in original claims 2 and 3; and in Figs. 1 and 2.

Claims 2 and 3 are canceled without prejudice or disclaimer.

Rejection of Claims under 35 U.S.C. §103

Claims 1-3, 6, 7, and 9 stand rejected under 35 U.S.C. §103 as unpatentable over U.S. Patent No. 2,458,157 (Funkhouser) in view of U.S. Patent No. 6,322,058 (Tanigawa).

Claims 4, 5, and 11 stand rejected under 35 U.S.C. §103 as unpatentable over Funkhouser and Tanigawa in further view of U.S. Patent No. 5,267,725 (Wode).

Claim 10 stands rejected under 35 U.S.C. §103 as unpatentable over Funkhouser and Tanigawa in further view of OE 324144.

The combination of Funkhouser and Tanigawa fails to teach or suggest the above-recited limitations of independent claim 1.

Independent claim 1 now recites “said flow connection comprising a transverse bore leading to the interior space of said bellows and a longitudinal bore proceeding from said transverse bore and opening outside of said bearing on said distal side of said bearing, said flow connection being permanently open and communicating freely only with an interior space defined in said bellows and with the atmosphere”. The claim now specifically recites that the flow connection is specifically made for the sole purpose of connecting the interior of the bellows to the atmosphere through the piston rod in such a way that the opening to the atmosphere is at a distal side of the bearing relative to the cylinder. The prior art of record fails to disclose, teach or suggest this combination of limitations.

Funkhouser discloses a piston cylinder unit comprising a cylinder 20 and a tubular piston rod 30 connected to a piston 50. A free end of the piston rod 30 which projects out of the piston 20 is connected to a closure member 33 with a lug 34 having an opening 35 as a mounting member (see col. 2, lines 4-10 of Funkhouser). Funkhouser discloses that the end of a hollow piston rod 30 is received in a blind hole in the lug 34. The lug 34 has a further bore 36 which connects the blind hole with the atmosphere (col. 2, lines 10-13). A fluid tight bellows 41 is arranged between a collar 40 on the cylinder 20 and a collar 31 at the free end of the piston rod 30. The piston 50 divides the cylinder into a lower working chamber 72 and an upper working chamber 75 (see col. 3, lines 37-46). The piston 50 includes valves which selectively connect the lower working chamber 72 to a fluid reservoir 100 in the in the piston rod 30 (col. 4, lines 59-64). Orifices in the tubular piston rod 30 provide communication between the interior of the bellows and the interior of the piston rod, i.e., the fluid reservoir 100.

Since the piston rod opens inside of the lug 34 and is connected to the atmosphere through the bore 36, Funkhouser fails to disclose “said flow connection comprising a transverse

bore leading to the interior space of said bellows and a longitudinal bore proceeding from said transverse bore and opening outside of said bearing on said distal side of said bearing”, as expressly recited in independent claim 1. Furthermore, since the fluid reservoir 100 of Funkhouser is also connected to the lower chamber 72 through the valve of the piston 50, Funkhouser also fails to disclose, teach or suggest “said flow connection being permanently open and communicating freely only with an interior space defined in said bellows and with the atmosphere”, as expressly recited in independent claim 1.

Tanigawa fails to teach or suggest what Funkhouser lacks. Tanigawa discloses a piston cylinder unit with an air spring 28. The air spring 28 defines an air chamber 32 which receives and discharges a supply of compressed air through a discharge opening (col. 8, lines 8-12). A pressure receiving chamber 22C of an actuator 22 communicates with the air chamber 32 through the piston rod 11 (see col. 7, lines 12-15). An end of piston rod 11 passes through a mounting member 33 as described at col. 8, lines 15-26 of Tanigawa.

Tanigawa fails to disclose a bellows and thus fails to teach a flow passage which is connected only between an interior of a bellows and the atmosphere. In contrast, Tanigawa discloses an air spring which has an entirely different function than the bellows. The air spring contains compressed air and is connected to an actuator. Furthermore, the actuator is separately connected to the atmosphere fails to disclose communication between the atmosphere and the air chamber of the air spring. Therefore, although Tanigawa does disclose that the end of the piston rod extends through a mounting member, there is no teaching or suggestion for connecting the interior of a bellows to the atmosphere through that section of the piston rod that extends through the mounting member, as recited in independent claim 1.

Futhermore, since the vertical passage of the piston rod is also connected to and applies pressure to the element labeled reference character 17, Tanigawa also fails to disclose "said flow connection being permanently open and communicating freely only with an interior space defined in said bellows and with the atmosphere", as expressly recited in independent claim 1.

In view of the above amendments and remarks, independent claim 1 is allowable over Funkhouser in view of Tanigawa.

Dependent claims 4-7 and 9-12, are allowable for the same reasons as is independent claim 1, as well as for the additional recitations contained therein.

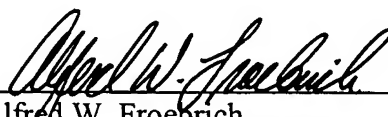
In view of the above amendments and remarks, the application is deemed to be in condition for allowance and notice to that effect is solicited.

Should the Examiner have any comments, questions, suggestions, or objections, the Examiner is respectfully requested to telephone the undersigned in order to facilitate reaching a resolution of any outstanding issues.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,
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